

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. v. James Rayvon Ham

Docket No. 5:04-CR-363-1F

Petition for Action on Supervised Release

COMES NOW Lakesha H. Wright, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of James Rayvon Ham, who, upon an earlier plea of guilty to Possession of a Firearm by a Convicted Felon, in violation of 18 U.S.C. § 922(g)(1), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on May 18, 2006, to the custody of the Bureau of Prisons for a term of 195 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years. On December 17, 2012, pursuant to the granting of the defendant's motion under 28 U.S.C. § 2255, Ham was resentenced to time served and his term of supervised release was reduced to 3 years.

James Rayvon Ham was released from custody on December 18, 2012, at which time the term of supervised release commenced.

On June 1, 2015, a Violation Report was submitted to the court advising that a urine specimen collected from the defendant on March 4, 2015, was determined by the national laboratory to be positive for marijuana. The court agreed to continue supervision.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

A urine specimen collected from the defendant on August 25, 2015, was determined by the national laboratory to be positive for marijuana. On September 15, 2015, Ham signed a statement admitting that he used marijuana on or about August 18, 2015. As a sanction for the violation, we are recommending that the defendant be required to serve two days incarceration in the Bureau of Prisons. Ham signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 2 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Dwayne K. Benfield

Dwayne K. Benfield

Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Lakesha H. Wright

Lakesha H. Wright

U.S. Probation Officer

201 South Evans Street Room 214

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Executed On: September 18, 2015

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ORDER OF THE COURT

Considered and ordered this 22nd day of September, 2015 and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge